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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/670,869	09/27/2000	Jun Hirai	450100-02731	6828

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EXAMINER

WANG, TED M

ART UNIT	PAPER NUMBER
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2634

DATE MAILED: 05/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/670,869

Applicant(s)

HIRAI, JUN

Examiner

Ted M Wang

Art Unit

2634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/15/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 4, 9, 12, and 14-21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-8, 10, 11, and 13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-21 are pending in the application.

Response to Arguments

2. Applicant's arguments, see paper # 6, filed 3/15/2004, with respect to the rejection(s) of claim(s) 1 and 6 under Iwamura (US5,844,623) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Michener et al. (US6,323,909) and Kanota et al. (US5,991,500) and Okuyama et al. (US5,987,126).

- ☐ Applicant has amended claims 1, 6, and 11.
- ☐ Applicant has cancelled claims 4, 9, 12, and 14-21.

Drawings

3. The drawings are objected to because
 - ☐ The signal flow direction of reference number 4 in Fig.1 should be corrected from "←" to "↔" between STB and TV receiver.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, and 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Michener et al. (US6,323,909) in view of Kanota et al. (US6,323,909) and further in view of Iwamura (PT5,844,623).

- In regard claim 1, Michener et al. a system and method for distributing high definition television (HDTV) and standard definition television (SDTV) signals via satellite for receiving a digital satellite broadcasting signal containing at least one of a first broadcast signal in a first format and a second broadcast signal in a second format (Fig.4 and 5, column 2 lines 24-67, column 3 lines 23-50, and column 7 lines 10-45), comprising:
signal receiving means for receiving said digital satellite broadcasting signal (Fig.1, 4, and 5, and column 3 lines 51-65, and column 7 lines 10-20); judging means for judging whether said digital satellite broadcasting signal received by said signal receiving means is in the first broadcast signal format or in the second broadcast signal format (Fig.4 and 5, and column 7 lines 21); for converting the data structure of the second broadcast signal if it is determined by the judging

means that the digital satellite broadcast signal is in said second format to generate a third broadcast signal (Fig.4 and 5 elements 345 and 350, and column 7 line 10 – column 8 line 67); and second output means for outputting the third broadcast signal generated in said conversion means from a digital interface (Fig.5 elements 345 and 350, and column 7 line 10-60).

Michener et al. fails to teach that add an analog signal to the analog signal for suppressing copying of the analog signal and output the first output means the analog signal generated in said generating means from an analog interface.

Kanota et al. discloses a copy control for a video signal with copyright signals for generating an analog signal and adding to the analog signal for suppressing copying of the analog signal (column 1 lines 17-53) in order to prevent the unauthorized copy of a video program.

Iwamura cited by the applicant discloses a integrated receiver decoder with the first output means for outputting the analog signal generated in said generating means from an analog interface (Fig.1 and 2, and column 1 – column 2 line 22, and column 3 line 16 – column 4 line 38) in order to provide a transmission to the analog television set.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Michener's system and method for distributing high definition television (HDTV) and standard definition television (SDTV) signals via satellite in view of Kanota's disclosure in order to prevent the unauthorized copy of a video

program and further in view of the Iwamura's disclosure in order to provide a transmission to the analog television set.

- In regard claim 2, the limitation that the digital satellite broadcasting signal is DSS (Direct Satellite System) broadcast signal, the first broadcast signal is an SD (Standard Definition) broadcast signal and the second broadcast signal is an HD (High Definition) broadcast signal can further be taught by Michener et al. in column 1 lines 42-64, where DirecTV system is a DSS (Direct Satellite System), and Fig.4 and 5, column 2 lines 24-67, column 3 lines 23-50, and column 7 lines 10-45, respectively.
- In regard claim 3, the limitation that digital interface is IEEE 1394 interface can further be taught by Michener et al. in Fig.5 elements 345 and 350, and column 7 line 10-60.
- In regard claim 6, which is an apparatus claim related to claim 1, all limitation is contained in claim 1. The explanation of all the limitation is already addressed in the above paragraph.
- In regard claim 7, which is an apparatus claim related to claim 2, all limitation is contained in claim 2. The explanation of all the limitation is already addressed in the above paragraph.
- In regard claim 8, which is an apparatus claim related to claim 3, all limitation is contained in claim 3. The explanation of all the limitation is already addressed in the above paragraph.

6. Claims 5, 10, 11, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Michener et al. (US6,323,909) in view of Kanota et al. (US6,323,909) and further in view of Iwamura (PT5,844,623) and further in view of Okuyama et al. (US5,987,126).

- In regard claim 5, Michener et al. and Kanota et al. and Iwamura discloses all limitation except specifically teaching that an encrypting circuit is included for encrypting the third broadcast signal.

Okuyama et al. discloses a device having a digital interface and a network system using such a device and a copy protection method comprising an encrypting circuit for encrypting the third broadcast signal (Fig.16 element 207 and column 19 line 57 – column 20 line 6) in order to further enhance the copyright protection.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Michener's and Kanota's and Iwamura's receiving system in view of Okuyama's disclosure in order to further enhances the copyright protection.

- In regard claim 10, which is an apparatus claim related to claim 5, all limitation is contained in claim 5. The explanation of all the limitation is already addressed in the above paragraph.
- In regard claim 11, the limitation that a recording medium recorded with a program which is readable by a computer and serves to process digital satellite broadcasting signal received can further be taught by Okuyama et al. in column

22 lines 23-30 and Fig. 30 element 113 in order to have higher quality video image recorded. All other limitation is contained in claim 6. The explanation of all the limitation is already addressed in the above paragraph.

- In regard claim 13, which is a recording medium recorded claim related to claim 10, all limitation is contained in claim 10. The explanation of all the limitation is already addressed in the above paragraph.

Conclusion

7. Reference 6,366,731 and 6,501,510 are cited because they are put pertinent to the Digital/analog broadcast signal processing unit. However, none of references teach detailed connection as recited in claim.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ted M Wang whose telephone number is (703) 305-0373. The examiner can normally be reached on 8:30 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Chin can be reached on (703) 305-4714. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Ted M. Wang

Ted M Wang
Examiner
Art Unit 2634


STEPHEN CHIN
SUPERVISORY PATENT EXAMINER
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